

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE SMITH BARNEY DIVISION OF
CITIGROUP GLOBAL MARKETS, INC.,
(formerly known as Salomon Smith Barney, Inc.),

Plaintiff,

v.

M. BERNADETTE HOLLAND,
M. AMY VILLANI, WILLIAM CARL MEYER,
MARCY LEPRELL, and
JANNEY MONTGOMERY SCOTT LLC

Defendants.

No. 2:09-cv-00613 (LHP)

**DEFENDANT JANNEY MONTGOMERY SCOTT LLC'S MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 21, Defendant Janney Montgomery Scott LLC ("Janney") respectfully submits this Motion to Dismiss Plaintiff's Amended Complaint, seeking and order dismissing the claims set forth by Plaintiff in its Amended Complaint, without prejudice, and dismissing Defendants William Carl Meyer and Marcy LePrell from the above-captioned action, without prejudice. In support of the Motion, Janney relies on its supporting Memorandum of Law, filed herewith. A proposed Order accompanies this Motion.

DATED: February 24, 2009

Respectfully submitted,

By: /s/ Christopher P. Stief
Christopher P. Stief
Heather Z. Steele
Fisher & Phillips LLP
201 King of Prussia Road, Suite 650
Radnor, PA 19087
(610) 230-2150
(610) 230-2151 (facsimile)
cstief@laborlawyers.com
hsteele@laborlawyers.com

Attorney for Defendant Janney Montgomery
Scott LLC